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Abhinav Aggarwal
100 Saint Ayers Way
Chapel Hill, NC 27517-2362, USA
Dated: November 12, 2006.

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 23313-1450

Application No. 10/735,333: Renewed Petition under 37 CFR 1.181 to
Withdraw the Holding of Abandonment

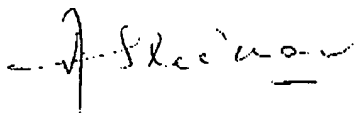
Subject: Request to withdraw the holding of abandonment in respect of USPTO
Application 10/735,333

Reference: Customer No 59597: Letter mailed by USPTO on Oct 18, 2006 (signed by
Ms. Christina Tartera Donnell, Senior Petitions Attorney, Office of Petitions).

Dear Sir or Madam:

With reference to your letter dated October 18, 2006, this is a renewed petition in respect of Application 10/735,333 requesting to withdraw the holding of abandonment. As per the requirement specified in your letter under reference, to establish the non-receipt of Notice mailed by USPTO on April 27, 2004 to file corrected application papers in respect of 10/735,333, enclosed please find herewith two statements explaining the arrangement of mail delivery from the previous address and conducting a search.

Respectfully Submitted,



(Abhinav Aggarwal)

NOV 12 2006

Anu Sud
3004 Montgomery Street
Durham, NC 27507, USA
Dated: November 09, 2006.

To who it may concern

Subject: USPTO Application 10/735,333

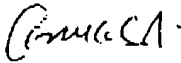
Reference: Customer No 59597: Response to letter mailed by USPTO on Oct 18, 2006

I, Anu Sud, resident of 3004, Montgomery Street, Durham, NC 27507, USA, am sister of Dr. Abhinav Aggarwal, resident of 100 Saint Ayers Way, Chapel Hill, NC 27517, USA. I hereby affirm that I have been residing this address (3004, Montgomery Street, Durham, NC 27507, USA) since 1985. My brother, Dr. Abhinav Aggarwal, has formerly lived with me, and has used this 3004 Montgomery Street address for most of his important correspondence. Since I, Anu Sud continue to reside at this 3004 Montgomery Street, Durham address, I have always had an arrangement to get any mail addressed to my brother Dr. Abhinav Aggarwal at 3004 Montgomery Street, Durham address to be delivered to him, as I frequently visit him. This arrangement shall also continue to be in place in the future as well.

In respect of letter referenced to subject patent application (10/735,333- on petition) mailed by USPTO on Oct 18, 2006, I am explaining situation regarding the Notice to File Corrected Application Papers. The notice to file corrected application papers, mailed by USPTO on April 27, 2004, was never received at 3004 Montgomery Street, Durham address. The mail is removed on each working day out of the mailbox, and put in a mail holding area at 3004 Montgomery Street address. The mail addressed to Dr. Abhinav Aggarwal (including the mail received from USPTO) is sorted and separated from rest of the mail, so that it can be delivered to him. Upon enquiry by Dr. Abhinav Aggarwal, a thorough search has been performed by me, but the notice to file corrected application papers in respect of 10/735,333 mailed by USPTO on April 27, 2004 was never found.

The above statements are true to the best of my knowledge and belief.

Sincerely,


(Anu Sud)

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Abhinav Aggarwal
100 Saint Ayers Way
Chapel Hill, NC 27517-2362, USA
Dated: November 09, 2006.

To who it may concern

Subject: USPTO Application 10/735,333

Reference: Customer No 59597: Response to letter mailed by USPTO on Oct 18, 2006

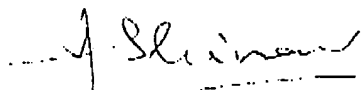
I, Abhinav Aggarwal, resident of 100 Saint Ayers Way, Chapel Hill, NC 27517, USA hereby affirm that I was formerly residing with my sister, Dr. Anu Sud, at her address 3004, Montgomery Street, Durham, NC 27507, USA. I had used this 3004 Montgomery Street address for most of my important communications. Since my sister, Dr. Anu Sud continues to reside at her 3004 Montgomery Street, Durham address, I have always had an arrangement in place to get any mail addressed to me at 3004 Montgomery Street, Durham address delivered to me.

Though I have now shifted to 100 Saint Ayers Way, Chapel Hill address, this arrangement to get mail from 3004 Montgomery address has continued to date, and shall also continue to be in place in the future as well, as long as my sister Dr. Anu Sud resides at that address.

In respect of letter referenced to subject patent application (10/735,333- on petition) mailed by USPTO on Oct 18, 2006, I am explaining situation regarding the Notice to File Corrected Application Papers. The notice to file corrected application papers in respect of my patent application 10/735,333 (System and Method for Universal Identification of Biological Humans) mailed by USPTO on April 27, 2004, was never received at 3004 Montgomery Street, Durham address. The mail is removed on each working day out of the mailbox, and put in a mail holding area at 3004 Montgomery Street address. The mail addressed to me (including any correspondence received from USPTO) is sorted and separated from rest of the mail by my sister Dr. Anu Sud, so that it can be delivered to me, when she visits me on a weekly basis. Upon my enquiry, a thorough search has been performed by her, but the notice to file corrected application papers in respect of patent application 10/735,333 mailed by USPTO on April 27, 2004 was never found.

The above statements are true to the best of my knowledge and belief.

Sincerely,



(Abhinav Aggarwal)

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UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

DR. ABHINAV AGGARWAL
100 SAINT AYERS WAY
CHAPEL HILL NC 27517

COPY MAILED

OCT 18 2006

OFFICE OF PETITIONS

In re Application of	:	
Abhinav Aggarwal	:	
Application No. 10/735,333	:	
Filed: December 12, 2003	:	ON PETITION
Title: SYSTEM AND METHOD FOR	:	
UNIVERSAL IDENTIFICATION OF	:	
BIOLOGICAL HUMANS	:	

This is in response to the petition filed June 22, 2006, to withdraw the holding of abandonment.

On April 27, 2004, the Office mailed a Notice to File Corrected Application Papers ("Notice "), which set a two-month extendable period to reply. The application became abandoned on June 28, 2004, for failure to submit a timely response to the Notice. On January 6, 2005, the Office mailed a Notice of Abandonment. On February 1, 2005, petitioner filed a petition to revive the application. On May 1, 2006, the Office mailed a communication to petitioner, indicating that the Office could not treat the petition on the merits because petitioner did not submit the requisite petition fee.

On June 22, 2006, petitioner filed the present petition, requesting that the Office withdraw the holding of abandonment due to non-receipt of the Notice. Additionally, petitioner submitted a one page Abstract and a copy of his docket records for this application.

A review of the record indicates no irregularity in the mailing of the Notice, and in the absence of any irregularity in the mailing, there is a strong presumption that the Notice was properly mailed to the address of record. Nevertheless, petitioner asserted that although he submitted a change of correspondence address with the USPTO subsequent to the mailing of the Notice, he has an arrangement in place to date for collecting all mail delivered to his previous address. Additionally, petitioner stated that he received the Notice of Abandonment in this application, which was delivered to his previous address.

To establish non-receipt of the Notice, petitioner must provide an explanation of the arrangement he has in place for receiving and collecting mail delivered to his previous address. Petitioner must include a statement from petitioner, or any other person at the address who may have firsthand

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knowledge of the events, indicating how correspondence from the USPTO is handled upon delivery to the previous address. Specifically, the statement(s) must indicate where correspondence from the USPTO is kept and that a search was conducted of the location, but the Notice was not found.

For the reasons stated, the petition to withdraw the holding of abandonment is dismissed.

Any request for reconsideration of the dismissal of the petition to withdraw the holding of abandonment due to nonreceipt of the Notice must be submitted within **TWO (2) MONTHS** from the mailing date of this decision. The request for reconsideration should include a cover letter entitled "Renewed Petition under 37 CFR 1.181 to Withdraw the Holding of Abandonment," as well as statements and documentary evidence, as indicate above. Extensions of time are permitted under 37 CFR 1.136(a).

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

By FAX: (571) 273-8300
Attn: Office of Petitions

By hand: Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Telephone inquiries related to this decision may be directed to the undersigned at (571) 272-3211.

Christina Tartera Donnell

Christina Tartera Donnell
Senior Petitions Attorney
Office of Petitions